

LAOS—APPROPRIATING "IN THE BLIND"

Mr. SYMINGTON. Mr. President, in the course of the June 7 closed session of the Senate at which various U.S. activities in Laos were discussed, I stated that I would propose an amendment to the defense authorization bill, S. 939, limiting obligations or expenditures for economic aid, military assistance, and all other U.S. activities in Laos to \$200 million in the fiscal year 1972. The sole exception was combat air operations by U.S. forces over the Ho Chi Minh Trail area in southern Laos.

On June 15, I made a statement on the floor of the Senate at the end of which the amendment, amendment No. 160, was printed.

As stated on both June 7 and 15, my reason for proposing such an amendment was because in many cases we have been authorizing and appropriating money for our activities abroad "in the blind"; that is, we do not know how much we were and are really spending, or how said funds were being spent.

In the course of consideration of the defense authorization bill in the Armed Services Committee, the Department of Defense was asked for its views on this, my amendment.

Their memorandum in reply states that—

DOD strongly opposes the amendment.

This memorandum contained one confidential paragraph and one paragraph classified "secret." The remainder of the memorandum was not classified, however, and I ask unanimous consent that the text of the memorandum, less the two classified paragraphs, be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

DOD POSITION ON THE SYMINGTON AMENDMENT

(Adding Sec. 502 to the bill S. 939 which authorizes appropriations in FY 72 for procurement, etc. for the Armed Forces.)

EFFECT OF THE AMENDMENT

The proposed amendment would limit obligations or expenditures to \$200 million for economic and military assistance and for support of all military operations in, to, for, or on behalf of Laos during FY 72 except for the expenditure of funds to carry out combat air operations by US forces over the Ho Chi Minh Trail area in southern Laos and "areas immediately adjacent to such trails." In addition, the amendment would prohibit any funds from being obligated or expended for operations in Laos outside the Ho Chi Minh Trail beginning with FY 73, unless specific new authorizing legislation is enacted. Finally, the amendment requires a quarterly report by the President to Congress of all expenditures "in, for, or on behalf of Laos" during the preceding quarter.

DOD POSITION

DOD strongly opposes the amendment.

1. It would substantially impair our on-going operations in Laos, operations which have been undertaken at the request of the Government of Laos to assist it in resisting military takeover by North Vietnam.

The strategic location of Laos, bordering the other states of Indochina plus Thailand and Burma, makes it especially important that a belligerent state not control Laos. The

opportunity for regional stability is being kept open by the continued independence and neutrality of Laos. The following comment by President Nixon on 7 October 1970 is relevant: "The war in Indochina has been proved to be of one piece; it cannot be cured by treating only one of its areas of outbreak."

This Administration has continued American support for the efforts of Prime Minister Souvanna Phouma to reconstitute the 1962 Geneva Agreements guaranteeing his country's neutrality, independence and territorial integrity. Limitations imposed by Congress on our ability to achieve that objective would raise doubts not only about our determination to adhere to our stated objectives, but to our more formal commitments as well.

Such a limitation would severely limit our ability to effectively implement that part of the Nixon Doctrine that calls for sufficient military assistance to allow such governments to resist Communist aggression. In implementing his policy, the President should have sufficient flexibility to meet with an adequate response, changes in the local military situation. As he indicated about Indochina in his 25 February 1971 foreign policy report: "A negotiated settlement for all Indochina remains our highest priority. But if the other side leaves us no choice, we will follow the alternative route to peace—phasing out our involvement while giving the region's friendly countries the time and the means to defend themselves."

The overall limitation of \$2.5 billion annually for expenditures in military assistance to friendly and local forces in Southeast Asia already applies to DOD budgeted support of Laos.

II. The proposed amendment would intrude into matters properly within the constitutional authority of the President, as Commander-in-Chief, to direct military operations in Southeast Asia. A special limitation on the amount of funds which may be used in one of the operational areas of conflict would be a back door attack on the President's authority.

III. As drafted, the amendment cannot be administered by the Executive branch. With the knowledge and express concurrence of the cognizant congressional committees since FY 67, the records of the Department of Defense for military assistance service funded (MASF) for Southeast Asia have been maintained only on an estimate basis because of the necessary integration of the supply and fiscal procedures of MASF with our own operations to meet a combat situation. Further, while DOD has been able to maintain records by country on an estimate basis with respect to obligations, it has not been able to maintain records on a country-by-country basis—as distinguished from Southeast Asia as a whole—with respect to expenditures.

IV. Assuming, however, that it were possible to establish and maintain current records both as to expenditures and obligations, to impose a fiscal year ceiling on both expenditures and obligations would be to cut the actual level of operations in a current fiscal year substantially below the amount specified in the Amendment as the ceiling on obligations—inasmuch as expenditures in any fiscal year necessarily involve obligations incurred in prior fiscal years as well as those which relate to obligations of the current year.

V. Finally, it should be observed that subsection (C) of the Amendment is ineffective, as drafted, to carry out the Sponsor's intent to provide an exception for combat air operations over the Ho Chi Minh Trail area. Whereas the operative subsections which impose constraints are written in terms of obligations and expenditures, the exception provided for in subsection (C) with respect to combat air operations over the sanctuary areas in Southern Laos only excludes expenditures and not obligations.

Mr. SYMINGTON. Mr. President, I would now make the following three comments on the memorandum of the Defense Department:

First. The Department of Defense memorandum states that a limitation of \$200 million "would substantially impair our on-going operations in Laos, operations which have been undertaken at the request of the Government of Laos to assist it in resisting military takeover by North Vietnam."

I would say, in reply: How much does the Department of Defense want for United States operations in Laos for the coming fiscal year?

Surely, we in the Senate should not continue the present practice, which gives us no real indication whatever of what we are actually spending in Laos.

Surely, the American people have a right to know something about how their tax dollars are being spent in Laos; and in any case the Department of Defense should state to the Congress how much it considers necessary for the United States to spend to assist the Government of Laos in this fiscal year.

In its memorandum the Department of Defense takes the position that my amendment "would intrude into matters properly within the Constitutional authority of the President as Commander in Chief, to direct military operations in Southeast Asia."

It adds that the kind of limitation my amendment would apply would be a back door attack on the President's authority.

This is an intriguing comment. The Department of Defense would appear to be saying that the responsibilities the Congress has under the Constitution to raise and support armies does not mean what it says. The President, as Commander-in-Chief, has the constitutional authority to direct military operations; but under our system of checks and balances, he can do so only with the funds authorized by the Congress.

As the Defense Department memorandum states, the Congress has limited to \$2.5 billion, the amount that can be spent for military assistance in Southeast Asia. If that limitation is constitutional, why is a sublimitation delineating the amount that can be spent in Laos itself any less constitutional or a back door attack on the President's authority.

Second. Equally disturbing is the statement in the Department of Defense memorandum that such an amendment "cannot be administered by the Executive Branch."

The memorandum goes on to point out that the records "for military assistance service funded for Southeast Asia have been maintained only on an estimate basis."

As two members of the staff of the Subcommittee on United States Agreements and Commitments Abroad discovered on a recent trip to Laos, however, those estimates bear little relation to the actual amounts both obligated and spent. In this fiscal year, for example, the estimated amount is only half the amount which U.S. authorities in Laos expect to spend.

libel and slander from legal accountability. Certainly, it is one of the prime functions of the First Amendment to protect public disclosure on public issues. Free press and free speech are absolutely necessary to the functioning of a free government. But freedom, I assert again, without responsibility is detrimental and destructive of the values of a free society.

Now the Court tells us the defense of truth is inadequate to protect the freedom of the media. The First Amendment protects lying too, unless a libeled person can psycho-analyze the offender and show the jury that malice lay at the base of the lying. So far, the burden of such a rule has been on public officials and candidates for public office who have always been considered fair game anyway, but in the recent *Rosenbloom* case, the Court extended the rule to libels and defamations of private individuals connected in some way with an event the media finds "newsworthy."

I think that it is fortunate when we turn from the area of First Amendment jurisprudence to the area of criminal law and criminal procedure that we see reflected in recent Supreme Court cases a dissatisfaction with abstraction and a dedication to realism which the criminal cases of Chief Justice Warren's tenure wholly lacked.

With the possible exception of search and seizure which still remains a morass of contradictory rules and arbitrary limitations, the Court is moving away from a hyperactive concern with the rights of criminal defendants in the abstract and deciding cases on the basis of the effect of constitutional rules in real cases.

I will not dwell on the cases which bear out these statements, for you are more familiar with them than I. Nor will I dwell further on my point about the Court's abstraction with theory versus reality as evidenced in the *Bruton* case in 1968, the *Harrison* case in the 1967 Term of the Court, or in *Miranda*, *Escobedo*, *Wade* and the like, except to say the importance of cases like *Miranda* is not so much the damage that is actually done in keeping out valid confessions or authentic reliable evidence. The damage lies in the fact that every crook is thereby encouraged to think that a hyper-technical Court is turning their confederates loose. An increase in confidence that, if caught they can "beat the rap", has without doubt contributed to the increase in crime.

It is in that sense I think that we have to acknowledge the influence of court decisions on crime. Criminals, normally, do not read Supreme Court decisions or lower court decisions. But once a court begins to lean hard on the police and issues a few rulings that are publicized which make it more difficult to convict, criminals are encouraged simply because the impression is about that their chances are better.

Severity of sentence in my opinion is a deterrent to crime. Equally effective is the belief generally abroad that the chances of getting caught and being convicted and serving time are substantial. The principal fault of the courts in recent years is that they have made possible a contrary opinion.

But not only criminals are subject to such prevailing influences. I have no doubt that trial courts also now, state and federal, have for years been afflicted with the fear of reversal by the higher courts so that they have grown more and more lenient on sentences, given defendants more and more of the doubt in ruling on suppression motions, and generally have made the jobs of prosecutors more difficult. I have no doubt that, for example, a study of the district courts in the District of Columbia would show that the supersensitive-to-defendants attitude of the Court of Appeals has made trial judges lean over backward in favor of defendants.

There would appear to be little doubt then that a change in the Supreme Court on criminal law should correct this attitude. It will be none too soon in my opinion. If we are to call a halt to the spiraling increase in crime we must speed up trials which means cutting out a lot of the waste and the coodling which goes on. Stiff sentences have to be handed out upon conviction. Habeas corpus must be returned to traditional limits so that once a defendant has exhausted his appeal rights he cannot simply, over and over again, clog up the courts with frivolous petitions.

I have no doubt at all that if the exclusionary rule at one end of the process and habeas corpus at the other end were returned to their traditional orientation the clutter in the courts could be cleaned up faster, trials could be more expeditious, sentences would be more meaningful, and justice would be done society as well as the criminal.

Regrettably, I must except from my generally complimentary remarks about the Court's very recent criminal law trends its search and seizure doctrines. As the *Coolidge* decision handed down only this week demonstrates, the Court is still mired in confusion of its own earlier making with respect to the Fourth Amendment, and, through its unwise extension of the unwise exclusionary rule to the States, the confusion afflicts all fifty States. *Coolidge* is particularly illustrative since there the majority held that police who had come lawfully onto the defendant's property to arrest him lawfully were held forbidden to seize and impound his car which was parked in plain view in his driveway and which police knew had been used in the commission of a brutal murder of a 14-year old girl.

Worse still, on the same day in the *Bivens* case a six-Justice majority held that any crook who claimed that federal agents had committed an unlawful search and seizure could sue for damages in the federal courts. No act of Congress gives them this right; the Fourth Amendment says nothing about it. But the Court implied the remedy from the "spirit" of the Amendment.

The harm to law enforcement is obvious. *Coolidge* demonstrates that the Justices cannot agree on what constitutes illegal searches, but if law enforcement officers in the field guess wrong they are subject to suit under a judicially-created tort theory.

No more can society live in a state of fear of crime than it can suffer the degradation of many of its members by abuse of the right of speech and press. We were once in a state where these excesses did not exist and no one can argue we were less free. Then, a man could take his family out without fear of robbery or rape or subjecting his children to the brutalization of language and immorality and fear which now exists. That man and his family were free. We can have that state of existence again but it takes discipline and rejection of what passes for intellectual counsel these days. It takes perseverance and dedication to first principles. And we can do it.

Let me repeat, in closing, that I have respect for the Supreme Court as an institution. But I shall continue to be disturbed by what my colleague in the Senate, Sam J. Ervin of North Carolina—a distinguished jurist in his own right—has called the "misty idealism" of many of the Court's decisions in recent years.

Woodrow Wilson once said: Constitute them how you will, governments are always governments of men, and no part of any government is better than the men to whom that part is entrusted. . . . The courts do not escape that rule. So far as the individual is concerned, a constitutional government is as good as its courts; no better, no worse.

The Federal Judiciary, of which you who are here today are so important a part, bears a heavy responsibility in the years ahead for a return to order and tranquility in our so-

ciety, a restoration of respect for law and the courts, and the preservation of constitutional government.

INTERNATIONAL WHEAT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays on the International Wheat Agreement.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. I ask for the yeas and nays.

The yeas and nays were ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 206) to reprint the brochure entitled "How Our Laws Are Made".

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6483. An act to amend section 5232 of title 10, United States Code, to provide authority for appointment to the grade of general of Marine Corps officers designated under that section for appropriate higher commands or for performance of duties of great importance and responsibility; and

H.R. 8805. An act to amend title 39, United States Code, to exclude from the mails as a special category of nonmailable matter certain material offered for sale to minors, to improve the protection of the right of privacy by defining obscene mail matter, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 6483. An act to amend section 5232 of title 10, United States Code, to provide authority for appointment to the grade of general of Marine Corps officers designated under that section for appropriate higher commands or for performance of duties of great importance and responsibility; to the Committee on Armed Services.

H.R. 8805. An act to amend title 39, United States Code, to exclude from the mails as a special category of nonmailable matter certain material offered for sale to minors, to improve the protection of the right of privacy by defining obscene mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

QUORUM CALL

Mr. BYRD of Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SPONG). Without objection, it is so ordered.

Also disturbing, is the admission in the Department of Defense memorandum that it has not been able—

to maintain records on a country-by-country basis—as distinguished from Southeast Asia as a whole—with respect to expenditures.

How can the executive branch be certain that expenditures do not exceed obligations in each country? Indeed, how can it be certain that the limitation of \$2.5 billion for expenditures in military assistance in Southeast Asia is being adhered to if it does not know how much is being spent in each country?

Far from being an argument against my amendment, this admission strikes me as a strong argument for its adoption. It could well force the executive branch to institute procedures which will provide an accurate accounting of what we are spending in Laos, in Thailand, and in Vietnam.

This would be an accounting which the Congress most certainly should consider in judging the various authorization and appropriation bills which relate to these countries on which, under the Constitution, it must act.

Third. Finally, I note that the last paragraph of the Department of Defense memorandum states that subsection (c) of my amendment is ineffective as drafted because it excludes only expenditures for combat air operations over the Ho Chi Minh Trail area and not obligations and expenditures.

The Office of the Senate Legislative Counsel does not agree; but in any case we plan to change the language of the subsection so as to exclude both the obligation and the expenditure of funds to carry out combat air operations in southern Laos. In that way there can be no misunderstanding and the Congress will be in a better position to perform its constitutional functions when it comes to authorizing and appropriating funds.

Mr. President, on the ticker this afternoon the following is stated with respect to what is going on in Laos today:

VIENTIANE, LAOS.—The defense ministry declared today the new special forces drive in the Plain of Jars was the responsibility of the U.S. Embassy, not the Laotian Government.

Gen. Thongphanh Knoksy, defense ministry spokesman, conceded tribal special forces are on the plain but declined to discuss details, telling newsmen: "You should ask the American embassy. This is their affair." Andrew P. Guzowski, an embassy spokesman declined comment.

It is no secret that the Central Intelligence Agency pays, equips and advises the special forces and the Meo tribal army under Gen. Vang Pao, who is in command in the Plain of Jars region.

The Meo tribesmen, and the general is a member, are militants and U.S. sources say they are the best fighting force in Laos.

Asked if Vang Pao had informed the Laotian Government of his activities, Thongphanh replied: "No, the government is not responsible for this operation."

Mr. President, if this information is correct, it proves what many of us have been saying for some time; namely, that for years the Government of the United States has been operating a war in secret in Laos not only without the approval of the Congress, but also without its knowledge.

CONCLUSION OF ADDITIONAL MORNING BUSINESS

The PRESIDING OFFICER (Mr. SPONG). The time for the transaction of routine morning business has expired.

QUORUM CALL

Mr. SYMINGTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERIOD FOR THE TRANSACTION OF ADDITIONAL ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there now be a resumption of the period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELATION OF PROPOSED DRUG AND CANCER AGENCIES TO THE PRESIDENT'S REORGANIZATION PROGRAM

Mr. PERCY. Mr. President, in proposing the creation of a Special Action Office for Drug Abuse Prevention, reporting directly to the President, President Nixon has recognized the overwhelmingly critical need to establish a vitally strong, coordinating unit for most Federal drug-related programs. The President has similarly recognized the special importance of the need to coordinate Federal programs leading to a cure for cancer, and has proposed that Federal Government programs for this purpose be coordinated by an office reporting to the White House.

One of the questions raised by these two new units is their relationship to the President's executive reorganization program. At least superficially, these two new agencies created specifically to report to the President run counter to one of the major purposes of the executive reorganization program, which is to reduce the number of units reporting directly to the President. In this way, the level of conflict resolution and decision-making can be reduced to the departmental level, freeing the President and his staff for policy consideration, planning, and evaluation.

In light of this question about possible conflict, I have requested and received from the Office of Management and Budget an explanation of the relationship of the new special White House drug abuse and cancer units to the executive reorganization proposals. As this brief paper makes clear, the special drug and cancer programs are seen as emergency efforts requiring initial strong Presidential leadership. According to OMB:

The proposed new (drug) Office would be temporary in character, on the assumption that when the Office operating out of the Executive Office succeeds in welding together an integrated program it will then be possible to place direction of the overall program or its separate elements into one or more of the existing agencies for continuing operation.

With regard to the cancer office it states:

The proposed organization for cancer research represents an effort by the President to provide direction to an area of priority medical and social concern. The Director would have authority over the cancer programs of HEW and be responsible for advising the President on the utilization of the Federal resources engaged in cancer research. Such an arrangement may be temporary but is needed at this point in time to assure that cancer activities are united in a truly national effort.

Secretary of Health, Education, and Welfare Elliot Richardson confirmed this concept at the Government Operations Committee's opening hearings on the creation of the Special Action Office (S. 2097) on July 7. He said that the special drug office was not to be seen as a permanent unit, and, after its statutory tenure, could be redirected to report to an existing agency. This is envisaged in S. 2097 itself, which in section 14(b) provides the Special Action Office with a life of 3 years, extendable up to 2 more years by the President, but expiring not later than June 30, 1976. To extend it beyond this date would require a new act of Congress.

I think it noteworthy that the Special Action Office reporting to the President was in good part necessitated by the existing fragmented Government structure that the executive reorganization proposals are intended to change. Were there, for example, a Department of Human Resources such as would be created by S. 1432, a more comprehensive and logical framework would now exist for coordinating many of the programs to be managed by the Special Action Office.

Another factor is that the executive reorganization proposals were not intended to exclude the possibility of creating new units in the White House to respond to specific and special needs. There was no intention by the President's Advisory Council on Executive Organization, the "Ash Council," to block the creation of such new units; in fact, the Council specifically recognized that they might be necessary in providing that the drug office be temporary, the President has indicated his intention to adhere to the managerial and organizational principles on which his executive reorganization program is based.

If there was any question in the mind of anyone as to the need for a special crash program or a Special Action Office on Drug Abuse, reporting directly to the President, that doubt would have been resolved by anyone who could have heard the testimony taken this morning by the Committee on Government Operations, under the chairmanship of the Senator from Connecticut (Mr. RIBICOFF), who is the chairman of the Subcommittee on Executive Reorganization.

We had before us three former drug addicts, two of them 15-year-olds from

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New York City, the other a 25-year-old returned veteran. Drug usage has reached epidemic proportions in the ghetto areas of our major cities, and it has reached epidemic proportions in Vietnam. Certainly any feeling we might have had that this is a smaller problem as revealed by the only 2 percent showing in the urinalysis tests conducted in recent days in Vietnam was refuted by one of the witnesses who testified as to the extensive use of heroin and hard drugs, not this year, not last year, but 3 years ago.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement of the Office of Management and Budget on the "Relation of Proposed Drug and Cancer Agencies to the President's Departmental Reorganization Program."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

RELATION OF PROPOSED DRUG AND CANCER AGENCIES TO THE PRESIDENT'S DEPARTMENTAL REORGANIZATION PROGRAM

A question has been raised as to whether the creation of the proposed agencies for prevention of drug abuse and for cancer research runs counter to the principle of organization by major purposes.

The President's Departmental Reorganization Program (PDRP) was never intended to foreclose the creation of specialized agencies when conditions warrant, even if the new departments were in existence. For example, the proposed Special Action Office for Drug Abuse Prevention reflects the President's determination to launch a broad ranging and concerted program to deal with a deepening crisis. The Director of the Office through his control of funds and organizational position in the Executive Office can be the "man in charge," answerable only to the President. The proposed new Office would be temporary in character, on the assumption that when the Office operating out of the Executive Office succeeds in welding together an integrated program it will then be possible to place direction of the overall program or its separate elements into one or more of the existing agencies for continuing operation.

The full range of drug programs contemplated for the proposed agency would in no event be encompassed by the Department of Human Resources. For example, the Veterans Administration and the Department of Justice, which support drug programs, would not be affected by the PDRP.

One of the primary objectives of the President's Departmental Reorganization plan is to enable the day-to-day coordination of established programs to occur at the departmental level so as to enable the President to give attention to those urgent problems of high national priority. The intent is to have the Cancer-Cure Program administered in an agency (NIH) which is to be transferred, under PDRP, to the new Department of Human Resources. Because of the critical impact of cancer programs on this nation's well-being, however, the President will appoint the Director and provide him with the necessary guidance and resources needed.

As in the case of drug abuse, the proposed organization for cancer research represents an effort by the President to provide direction to an area of priority medical and social concern. The Director would have authority over the cancer programs of HEW and be responsible for advising the President on the utilization of the Federal resources engaged in cancer research. Such an arrangement may be temporary but is needed at this point in time to assure that cancer activities are united in a truly national effort.

In summary, the organization proposals for both drug abuse and cancer research demonstrate that (a) emerging social needs and opportunities may require new organizations tailored to the specific area, (b) the President can selectively use his authority to direct programs cutting across agency lines, and (c) the PDRP would not always obviate the need for specialized agencies some of which would be temporary in character. This last point reflects the fact that a number of agencies not included within the PDRP will play important roles in special efforts such as the curtailment of drug abuse. When new specialized agencies have achieved their integrative purpose, every effort should be made to place them within the appropriate major purpose department. For example, the Department of Human Resources with its medical, education, and manpower components would offer much more promise as a location for drug rehabilitation responsibilities than would either the present HEW or Labor.

QUORUM CALL

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest what I assume to be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BYRD OF VIRGINIA ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday, immediately following the recognition of the two leaders under the standing order, the distinguished senior Senator from Virginia (Mr. BYRD) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ANT WAR

Mr. NELSON. Mr. President, recently the House of Representatives passed House Resolution 9270, the appropriations bill for the Department of Agriculture. Included in that bill were funds for the continuation of the imported fire ant control program through massive application of the chlorinated hydrocarbon mirex.

The efforts of the USDA to wipe out this insect date back to 1957, when they began unleashing huge quantities of

pesticides into the environment. Since that time over 80 million acres have been treated with various poisons.

In recent years several studies have been published which contain substantial and persuasive evidence that the present fire ant control program is a dramatic overreaction to the threat posed by this insect either as an agricultural pest or a human health hazard and that continuation of the program could well have serious adverse effects on nontarget organisms.

In response to this criticism from the scientific community, the USDA has toned down the program, describing it now as a fire ant control program—with spraying restricted to heavily infested areas and the implementation of environmental controls.

However, in spite of the severe criticism of the program and the cancellation of the registration of the pesticide mirex under the Federal Insecticide, Rodenticide, and Fungicide Act, the USDA has never addressed itself to the basic question of the need to continue the present program at all.

This has prompted me to write to Senator McGEE, the chairman of the Senate Agriculture-Environmental and Consumer Protection Appropriations Subcommittee, to request that the funds for this program be deleted from the USDA budget, and that the subcommittee order an indepth study of the imported fire ant by qualified experts to determine what hazard, if any, exists, and the most environmentally sound and economically feasible means of dealing with it.

I ask unanimous consent to insert in the CONGRESSIONAL RECORD a copy of an article which appeared in a recent issue of Environment magazine, entitled "The Ant War," which reviews the USDA efforts to eradicate this insect and cites the various studies which have appeared in recent years regarding the characteristics of the imported fire ant and the adverse effects of the pesticides used in the program.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ANT WAR

(By Donald W. Coon and Robert R. Fleet)

An insect called the imported fire ant has a bad name in the Southeast. Whether the reputation is valid is open to serious question. The question is important, since considerable money and large volumes of pesticides have been earmarked for a massive eradication campaign which some experts believe will do more environmental harm than good.

The imported fire ant (IFA) was introduced to the U.S. accidentally from South America early this century, but has become widespread only in the past two decades. As it spread, state and federal agricultural officials issued alarming warnings about the ant's capacity to injure crops, wildlife, and people. Local eradication programs began in 1937 and intensified with more recent widespread use of long-lasting insecticides. Such activities culminated in an organizational meeting on September 8, 1969 in Montgomery, Alabama. Members of IFA eradication committees and other interested persons from thirteen southern states unanimously approved a twelve-year eradication program developed jointly by the Southern Plant Board and the U.S. Department of

C.I.A. Aides Reported Leading Commando Raids in North Laos

The Washington Star

VIENTIANE, Laos, July 7—A secret operation involving commando raiders, some led by employees of the Central Intelligence Agency, is reported under way against the Communist-held Plaine des Jarres in northern Laos.

According to well-informed sources, United States aircraft have been landing on the plain, and one C-123 transport was stranded with its American crew there for a night.

The informants said the commandos had penetrated as far as an airstrip in the east central part of the plain called Lima 22.

United States and Laotian officials here have refused to comment on the reported operation.

[In Washington, State Department officials said they were checking the situation and had no immediate comment.]

One American source said privately that the Meo leader, Gen. Vang Pao, whose C.I.A.-backed forces are based at Long Tieng, southwest of the plain, was "strengthening and improving his defensive position."

Some military sources suggested that the reported operation was being conducted by the Meo base of Bouam Long, north of the plain.

Informants said two Thai battalions and six Meo battalions were involved. The Pathet Lao radio said the operation was being conducted by three regiments of General Vang Pao's forces.

In 1969, a joint United States-Laotian operation took the plain from Communist



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troops briefly but this led to a large North Vietnamese counterstroke, which drove the Meos back and almost resulted in the fall of Long Tieng.

Cambodian Plan Said to End

PNOMPENH, Cambodia, July 7 (UPI)—The United States has abandoned its secret program of training regular Cambodian troops on Laos, United States sources said today, but is continuing to train Cambodian guerrillas.

The sources said that the program, financed by the Central Intelligence Agency, ended last month when a 500-man Cambodian army battalion wound up a three-month training course in the Laotian panhandle.